

Message Text

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ORIGIN PM-05

INFO OCT-01 NEA-10 ISO-00 L-03 ACDA-12 CIAE-00 INR-10
NSAE-00 AID-05 MCE-00 SS-15 NSC-05 OMB-01 TRSE-00
/067 R

DRAFTED BY PM/SAS:RWSMITH:MAF
APPROVED BY PM/SAS:MCELROY
L/PM - MR. BOREK
NEA/RA - COL. GROSS
ACDA - LTCOL. FLUHR (SUB)
-----066212 180608Z /15

R 180025Z JUL 78
FM SECSTATE WASHDC
TO AMEMBASSY RABAT
INFO USCINCEUR VAIHINGEN GE
SECDEF WASHDC 0772
USAF WASHDC

C O N F I D E N T I A L STATE 180633

E.O. 11652: GDS

TAGS: MASS, MO, US

SUBJECT: RETRANSFER OF MAP MATERIEL
REF: RABAT 4023

1. DEPARTMENT APPRECIATES EMBASSY'S REPORT AND COMMENTS
IN REFTTEL ON GOM PLAN TO DISPOSE OF MAP-ORIGIN C-47 AIR-
CRAFT. AS EMBASSY NOTES, PAST PDS DID NOT (AND COULD NOT)
WAIVE STATUTORY REQUIREMENT CONTAINED IN SECTION 505(A)(1)
OF FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, THAT GOM
AGREE TO SEEK AND OBTAIN USG APPROVAL BEFORE MAP-ORIGIN
DEFENSE ARTICLES ARE TRANSFERRED. USG-GOM BILATERAL AGREE-
MENT OF JUNE 29, 1960 REFLECTS THIS REQUIREMENT. THIS
REQUIREMENT IS NOT CHANGED IF MAP-ORIGIN ARTICLES ARE
PURCHASED AT TIME OF ACQUISITION OR LATER, SINCE AGREEMENT
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APPLIES EQUALLY TO FMS AND MAP MATERIEL.

2. TRANSFER WITHOUT USG CONSENT IS SERIOUS MATTER, AND
INFORMATION THAT ANY SUCH TRANSFER HAS TAKEN PLACE MUST,
BY LAW, BE REPORTED QUOTE IMMEDIATELY UNQUOTE TO CONGRESS.
IN ADDITION, IF IT APPEARS THAT A TRANSFER MAY HAVE TAKEN
PLACE QUOTE IN SUBSTANTIAL VIOLATION UNQUOTE OF GOVERNING

AGREEMENT MATTER MUST BE REPORTED TO CONGRESS, AFTER WHICH
EITHER THE PRESIDENT OR CONGRESS (BY JOINT RESOLUTION)
MAY FIND THE COUNTRY CONCERNED TO BE INELIGIBLE FOR
FURTHER FMS FINANCING. WHILE WE ARE NOT PREPARED AT THIS

TIME TO CONCLUDE THAT THE CONTEMPLATED C-47 TRANSFER WOULD
ENTAIL A SUBSTANTIAL VIOLATION OF THE 1960 AGREEMENT, IT
IS NONETHELESS IMPORTANT THAT TERMS OF AGREEMENT REGARDING
THIRD-PARTY TRANSFERS BE CAREFULLY OBSERVED.

3. ACCORDINGLY, EMBASSY SHOULD SOLICIT FORMAL GOM REQUEST
FOR USG PERMISSION TO TRANSFER C-47S. YOU MAY EMPHASIZE
TO MOROCCANS THAT WE EXPECT TO APPROVE THAT REQUEST, BUT
THAT WE CANNOT PROVIDE FORMAL CONSENT UNTIL WE HAVE MET
REQUIREMENT OF SECTION 3(D) OF AECA BY PROVIDING CONGRESS
WITH 30-DAY ADVANCE NOTIFICATION. AS PRACTICAL MATTER,
THE PRESIDENT'S AUTHORITY TO CONSENT TO THIRD-PARTY
TRANSFERS HAS BEEN DELEGATED TO THE SECRETARY OF STATE,
AND THE DEPARTMENT CAN HANDLE THESE TRANSACTIONS EXPEDI-
TIOUSLY. WE WILL NOT NEED TO OBTAIN STANDARD RE-
TRANSFER ASSURANCES FROM PROPOSED RECIPIENT, SINCE C-47
AIRCRAFT ARE NOT ON THE US MUNITIONS LIST. CHRISTOPHER

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Message Attributes

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Current Classification: UNCLASSIFIED
Concepts: MILITARY AIRCRAFT, ARMS TRANSPORT RESTRICTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
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Executive Order: GS
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TAGS: MASS, MO, US
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